

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3126
)	
V.)	
)	
TIMOTHY S. FULTON,)	ORDER FOR
)	DISMISSAL OF INDICTMENT
Defendant.)	
_____)	

Judge Urbom's wife has recently passed away and he is unavailable. Following our previous operating procedures in cases where Judge Urbom is unavailable, this matter has been referred to me.

The government has filed a motion for dismissal without prejudice (filing 36). After consultation with Judge Urbom's chambers,

IT IS ORDERED that the motion for dismissal without prejudice (filing 36) is granted and this matter is dismissed without prejudice. Copies of this memorandum and order shall be provided to the United States Marshal Service, counsel for the parties, and Judge Urbom's chambers.

DATED this 23rd day of February, 2010.

BY THE COURT:

Richard G. Kopf
United States District Judge,
In the absence of Judge Warren K. Urbom